APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,368	12/13/2001	Mark S. Moriconi	ORACL-01453US3	8047

			EXAMINER
80548 7590 04/27/2009			POLTORAK, PIOTR

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/017,368	MORICONI ET AL.
	Examiner	**Art Unit**	
	PETER POLTORAK	2434	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2009*.

2a)☐ This action is **FINAL**.　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 21-31* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 21-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *1/20/09, 2/17/09 and 3/17/09*.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth
   in 37 CFR 1.17(e), was filed in this application after final rejection. Since this
   application is eligible for continued examination under 37 CFR 1.114, and the fee set
   forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action
   has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on
   1/20/09 has been entered.

2. The amendment received on 02/02/09 and IDS' received on 2/17/09 and 3/17/09
   have been entered and considered.

Response to Arguments

3. Applicant's arguments are essentially directed towards the newly introduced
   limitations.

4. In particular, applicant arguments that Brownlie in view of Donohue and further in
   view of Chamberlain or in alternative, in view of De Meon does not teach:
   "wherein the accumulated delta is distributed with a version of the security policy to reconstruct a
   previously distributed local customized security policy in one step, wherein the accumulated delta
   represents the combined effect of the series of incremental changes to the security policy."
   Applicant's arguments have been carefully considered but were not found
   persuasive. In particular, the examiner points out that distributing data (i.e. security
   policies in the accumulated delta) with metadata (i.e. a version of the security policy)
   is old and well known in the art of data distribution (DRM content, anti-virus

definition, etc.) and in particular, such an implementation wherein there are various version of data is available, such as in Brownlie Donohue and Chamberlain or De Meon's invention, would have been simply implicit.

5. Claims 1-9 and 21-31 have been examined.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 103

6. Claims 1-2, 5, 7-8, 21-31 are rejected under 35 U.S.C. 103(a) as obvious over *Brownlie et al. (U.S. Patent No. 6202157)* in view of *Donohue (U.S. Patent No. 6199204)* and further in view of *Chamberlain (U.S. Patent No. 6438749)* or, in alternative, in further view of *De Meno et al. (U.S. Publication 2001/0029517).* As per claims 1-2, 5, 7-8, 21-22, 24, 26-27, 29-31 *Brownlie et al.* teach a policy manager, coupled to a network, including a database for storing a security policy including a plurality of rules and a policy distributor, coupled to the database, for distributing the plurality of rules through the network *(Brownlie et al., col. 3 lines 25-34, line 54-col. 4 line 2),* a security engine located on a client coupled to the network, for storing a set of the plurality of rules constituting a local customized security policy received through the network from the policy distributor and for enforcing the local customized security policy with respect to an application at the client *(Brownlie et al., col. 4 lines 16-43, 51-52 and col. 5 lines 1-5),* an application, coupled to the security engine application rather than being embedded in the application *(Brownlie et al.,*

Fig. 1 node 22, col. 4 lines 47-50 and col. 7 lines 43-49) and the security policy

including a plurality of rules for controlling access to securable objects *(Brownlie et*

al., col. 7 lines 1-22).

7. As per determining incremental changes applicable to the security engine, the

examiner points out that computing environments are subject to constant changes

that are the result of continuing evolution of corporate administrative structure as

well as software advancement.   In addition to ever changing corporate structures as

well as security requirements, software itself evolves (for example it changes and is

replaced) setting new requirements for user interactions.

This notion is also recognized by *Brownlie et al.* who anticipate a series of

incremental changes to a security policy *(Brownlie et al., col. 1 lines 54-56, line 2*

lines 29-30, col. 7 lines 50-54 etc.).

However, *Brownlie et al.* is silent in regard to the specific implementation of

incremental changes to a security policy. Specifically, *Brownlie et al.* do not disclose

that updates involve keeping track of a series of incremental changes, computing an

accumulated delta that reflects the series of incremental changes and sending the

accumulated delta to the subject implementing the changes (the security engine)

from a distributor (the policy manager) such that the subject uses the delta to update

the current setting (the current local customized security policy).

Donohue discloses the process of updating computing systems that involves

keeping track of a series of incremental changes *(Donohue, col. 7 line 59-col. 8*

line10 and Fig. 2) computing an accumulated delta that reflects the series of

incremental changes *(e.g. col. 7 line 66-col. 8 line 2 and col. 9 lines 44-58)* and

sending the accumulated delta to the subject implementing the changes from a

distributor such that the subject uses the delta to update the current setting

(Donohue, col. 4 line 23-28). It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to compute an accumulated delta that

reflects the series of incremental changes and send the accumulated delta to the

subject implementing the changes from a distributor such that the subject uses the

delta to update the current setting giving the benefit of more efficient updates of

security policies while saving network bandwidth.

(Note that Donohue's invention was used just as an example. However using the

accumulated delta concept is old and well known in the art, see *Flynn et al., (U.S.*

Patent No. 5347653), Nachenberg et al. (U.S. Patent No. 6167407), etc.)

8. Additionally, the examiner points out that each change to a security policy (whether

    incremental or not) inherently includes one ore more rule changes in a security

    policy and, as per keeping track of incremental changes in network environment, it is

    infeasible to ensure that incremental changes are implemented by all subjects

    (clients with security engines) at the same time. For example, in addition to subjects

    available for updates, some may be shut down (e.g. a user taking vacation) and

    some may not be even in a distributor network (e.g. a user taking a laptop for a

    business trip). As a result, comprehensive updates to already present policy must

    account for the time difference that results in a different set of incremental changes

    distributed to policy subjects. Thus, it would have been obvious to one of ordinary

skill in the art at the time of applicant's invention to keep track of incremental

changes that would allow computation of an accumulated delta that reflect the series

of incremental changes *(for a particular subject)* distributed to a particular subject

given the benefit of a comprehensive update of each subject using a minimum of

network bandwidth and a flexible update schedule.

9. Furthermore, there are essentially only a few possibilities to update current

configuration (such as policies) in order to reflect the most current desirable state

(the most current overall configuration), which could include multiple intermediate

updates. The newest most current overall configuration settings could be used to

overwrite the current configuration. The changes could be implemented gradually, or

only the difference (delta) between the current and most updated overall

configuration could be installed. (The last one reads on the claimed limitations) Any

of these implementations, are obvious variations of each other. However, taking in

consideration time and network bandwidth required to deliver and update all network

subjects, the delta implementation would have been the most obvious choice.

Transferring less data via network minimize the use of the network bandwidth and

less data to install speeds up the update process and minimize possibility of errors.

10. *Brownlie et al.* in view of *Donohue* do not suggest using the accumulated delta to

reconstruct a previous state (e.g. the previously distributed locate customized

security policy).

De Meno discloses using the accumulated delta to reconstruct a previous state (De

Meno [0023]). Also, *Chambelian* discloses using the accumulated delta to

reconstruct a previous state (*Chambelian,* Fig. 4 and 5, and associated text).

It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to use the accumulated delta to reconstruct a previous state given the

benefit of returning the system to the previous state if the updating the local

customized security policy with the accumulated delta result in failure or abortion.

11. Although in Fig. 1, *Brownlie et al.* discloses only one set of a security

engine/application being guarded by a access authorization service set, Brownlie

clearly discloses that there may be more than one client 22. Thus, different client

have different set of a security engine/application being guarded by different access

authorization service. Specifically, Brownlie teaches that "the system 10 also

includes a plurality of network nodes 22 that have access to the public directory 20

through a network link 24" (*Brownlie et al.* col. 4 lines 16-18). Clearly, applications

on different clients read on separate applications and by virtue of residing on

different clients that have different security engines, these separate applications

clearly do not share the same authorization services.

12. As per newly introduced limitation, the examiner points out that distributing data (i.e.

security policies in the accumulated delta) with metadata such as a version of the

distributed data (i.e. security policy) is old and well known in the art of data

distribution (see DRM content anti-virus definition, etc.) and in particular, such an

implementation wherein there are various version of data is available, such as in

Brownlie Donohue and Chamberlain or De Meon's, such an implementation would
have been obvious to one of ordinary skill in the art at the time of applicant's
invention given the benefit of providing information about the distributed data.

13. As per claims 25 and 29 *Brownlie et al.* changes inherently include one or more of
adding, deleting and amending.

14. As per claims 22-23 and 27-28 the table disclosed by *Donohue* in Fig. 2 reads on a
policy tracking table. Furthermore, Official Notice is taken that it is old and well-
known practice to store data in a table and using the stored data in reconstruction of
a computer systems to a previous state. It would have been obvious to one of
ordinary skill in the art at the time of applicant's invention to reconstruct a computer
state to the previous version using earlier stored and distributed data given the
benefit of a quick troubleshooting of problems, potentially introduced by the data.

15. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Brownlie et
al. (U.S. Patent No. 6202157)* in view of *Donohue (U.S. Patent No. 6199204)* and
Chamberlain (U.S. Patent No. 6438749) or, in alternative, *De Meno et al. (U.S.
Publication 2001/0029517),* and further in view of *Wang (U.S. Patent No. 5956521).
Brownlie et al.* discloses that the policy manager and the policy distributor are hosted
on a first server *(Brownlie et al., col. 3 lines 27-34, 54-56 and 61-63),* the security
engine and the application are hosted on a second node, and the first and second
node are communicatively coupled to each other through the network *(col. 3 lines
61-63).*

16. *Brownlie et al.* in view of *Donohue* and *Chamberlain* or, in alternative, *De Meno et al.*do not explicitly teach that the second node is a server.

W*ang* teach a plurality of nodes that are servers *(Wang, Fig. 3)*.

It would have been obvious to one of ordinary skill in the art at the time of applicant's enforceable security policy invention as disclosed by *Brownlie et al.* in view of *Donohue* and *Chamberlain* or, in alternative, *De Meno et al.*into systems with nodes that are servers as taught by *Wang.* One of ordinary skill in the art would have been motivated to perform such a modification in order to provide an enforceable flexible security policy for each network node including servers.

17. Claims 3-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Brownlie et al. (U.S. Patent No. 6202157)* in view of *Donohue (U.S. Patent No. 6199204)* and *Chamberlain (U.S. Patent No. 6438749)* or, in alternative, *De Meno et al. (U.S. Publication 2001/0029517),* and further in view of *TRCKA et al. (U.S. Pub. No. 20010039579)* and *Microsoft Press (Computer Dictionary, 3rd Edition, ISBN: 157231446XA, 1997).*

Brownlie et al. in view of *Donohue* and *Chamberlain* or, in alternative, *De Meno et al.*disclose the security engine as discussed above.

As per claims 3, *Brownlie et al.* teach the security engine for evaluating a request to access the application based on the set of the plurality of rules and the application and the engine to communicating *(Brownlie et al., col. 4 lines 47-50 and col. 7 lines 43-49).*

18. *Brownlie et al.* in view of *Donohue* and *Chamberlain* or, in alternative, *De Meno et al.* do not explicitly teach an application programming interface (API) for enabling communication between the application and the engine.

TRCKA et al. teach utilizing API in communication *[101]*.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to provide API for enabling communication between the application and the engine as taught by *TRCKA et al.* One of ordinary skill in the art would have been motivated to perform such a modification in order to code efficiency by allowing significant amount of code to be re-used *[103]*.

19. *Microsoft* teaches a plug-in *(Microsoft Press, pg. 370)*.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate a plug-in API as taught by *Microsoft*. One of ordinary skill in the art would have been motivated to perform such a modification in order to provide additional functionality *(Microsoft, pg. 410)*.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/Peter Poltorak/

Examiner, Art Unit 2434

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434